



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$13,114.37).

MEETING DATE: June 18, 2008 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$13,114.37).

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

| Matter No. | Invoice No. | Date | Description | Water Acct. |
|------------|-------------|----------|----------------------------------|--------------------|
| 8002 | 108681 | 03/01/08 | People v. M & P Investments | 8,023.76 |
| | 133871 | 04/30/08 | Hemming Morse re: Col v. Donovan | 4,965.75 |
| | | | Total | \$12,989.51 |

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

| Matter No. | Invoice No. | Date | Description | 100351.7323 | Water Acct. |
|------------|-------------|----------|-----------------------------------|-------------|-------------|
| 11233.026 | 239191 | 05/25/08 | Lodi First v. City of Lodi | 45.40 | |
| 11233.030 | 239191 | 05/25/08 | Water Supply Issues-NotPceRelated | | 79.46 |
| | | | Subtotals | \$45.40 | \$79.46 |

Grand Total \$124.86

FISCAL IMPACT: Expenses in the amount of \$124.86 will be paid out of the General Fund and \$45.50 billed to Walmart for City's defense of the Lodi First litigation. The remaining expenses will be paid out of the Water Fund.

FUNDING AVAILABLE: Water Fund \$13,068.97
General Fund \$ 45.40

D. Stephen Schwabauer, City Attorney

Approved: _____
Kirk Evans, Budget Manager

APPROVED: _____
Blair King, City Manager